

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1955 of 2022

Arising Out of PS. Case No.-88 Year-2021 Thana- SARAI RANJAN District- Samastipur

PRADEEP KUMAR JHA Son of Ram Sagun Jha Resident of Village-
Jhakhara, P.S.- Sarairanjan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachchidanand Choudhary, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 396 and 412 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 24.07.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

The informant alleges that his brother was returning to C.S.P. with Rs.3,60,000/- when he was intercepted by five unknown criminals, who fired indiscriminately killing the deceased and fled with the money.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case based



on confessional statement of Shubham. It is submitted that initially one Rahul Jha was arrested as the first accused in the present case who disclosed that he has a gang of 16 criminals and disclosed their name, it is further submitted that Rahul Jha did not disclose the name of this petitioner. It is further submitted that based on confessional statement of Rahul Jha, Shubham was arrested who was a gang member and on his confessional statement, the name of the present petitioner transpired as he disclosed that this petitioner had given information about the deceased, it is thus submitted that though confessional statement does not have any evidentiary value in the eyes of law but even presuming what has been confessed is true, without admitting for the purposes of bail, then the allegation against this petitioner is of giving information and not participating in the actual occurrence. It is further submitted that the petitioner runs a Sudha Booth Centre at Meyari Chowk, Samastipur.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 24.07.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and taking into



consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sarairanjan P.S. Case No. 88 of 2021.

Further, if the learned court below comes to a conclusion that the petitioner after his release is trying to delay the trial of the case in any manner, the learned court below shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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